
If you believe you are eligible to vote and encounter difficulty registering, please contact the Elections section of the West Virginia Secretary of State:

West Virginia Secretary of State
Elections Division
State Capitol
Charleston, WV 25310
(304) 558-6000

If the West Virginia Secretary of State is unable to help you, or to report a problem, contact:

U.S. Department of Justice, Civil Rights Division
950 Pennsylvania Avenue, NW
Voting Section, Rm. 7254 - NWB
Washington, D.C. 20530
(202) 307-2767 (voice)
(800) 253-3931 (toll-free)
(202) 307-3961 (fax)
www.usdoj.gov/crt

This pamphlet is provided for informational purposes only, as an aid to further inquiry. The laws in many states are revised frequently, and may have changed since this pamphlet was issued. It is your responsibility to determine whether you are lawfully eligible to vote, and criminal penalties can result from voting when ineligible or making false statements on a registration form.

Issued December, 2000

U.S. Department of Justice

Civil Rights Division



Restoring Your Right to Vote



The right to vote is an important civil right in a democracy as well as a civic responsibility, and yet many persons who have been convicted of a crime do not know whether they are eligible to vote. For both federal and state elections, the right to vote is controlled by the law of the state in which you live. Some states restrict the right to vote for persons who have been convicted of a crime. This pamphlet is intended to help you determine whether you are eligible to vote in the state in which you live, and if so, what steps you must take to be permitted to vote.

What law governs whether my felony conviction limits my right to vote?

The impact of a criminal conviction on the right to vote varies widely from state to state. Whether you can vote after being convicted of a crime is determined by the state in which you live, not the state in which you were convicted.

Can I vote while I'm incarcerated in West Virginia?

If you are a resident of West Virginia, and you are convicted of treason, felony, or bribery in an election, you cannot vote. If you are incarcerated but not under conviction of a felony, you may vote absentee. You should contact the Clerk of the Circuit Court in the county of your residence to request an application.

If you are a resident of another state who is temporarily incarcerated in West Virginia, you may be able to vote by absentee ballot in your home state. You need to consult the law of your home state regarding both criminal convictions and absentee ballots to see if this is a possibility.

I have been released from incarceration. How do I restore my right to vote?

Your right to vote is automatically restored upon completion of your sentence, including any period of parole or probation.

What if my conviction was for a federal crime?

If you are a resident of West Virginia, the same rules apply whether you were convicted of a federal or a state crime.

What if I was convicted in another state?

The same rules apply for West Virginia voters even if the conviction occurred in another state.

What happens if I move to another state?

If you move to another state, your right to vote will be controlled by the laws of that state.

What are West Virginia's other voter registration requirements?

To vote in West Virginia, you must be a U.S. citizen as well as a resident of West Virginia and the county where you register. You must be at least 17 years old and turn 18 before the next general election. You must not be under a court ruling of mental incompetence.

When do I need to register to vote?

To be eligible to vote in an upcoming election, you must register at least 30 days prior to the election.

Where do I go to register?

Registration is available at many places in West Virginia, including:

- the county clerk's office at your county courthouse
- the agency where you get your driver's license
- public assistance agencies
- agencies which serve people with disabilities
- marriage license offices (at county clerk's offices)
- military recruiting offices
- by mail using a mail-in voter registration form, available from your county clerk or the Secretary of State, or on the internet at www.state.wv.us/sos/election

Registration may also be available at other state service agencies. Contact the county clerk's office near you to find out which service agencies provide voter registration.